

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

REVIEW PETITION NO.30 OF 2007
IN
SUIT NO.2969 OF 2006

Dhirajlal T. Mehta Petitioner
V/s.
M/s.Shanil Builders & Ors. Respondents

Mr.Suresh K. Mali for the Petitioner.

Mr.Kezer Kharawala i/b R.K. Associates for Respondent
Nos.4 to 10.

CORAM : S.J. VAZIFDAR, J.
DATED : 20TH SEPTEMBER, 2007.

P.C. :

1. The order dated 20.7.2007 sought to be reviewed proceeded on the basis that the third parties had not taken any proceedings for enforcement of their alleged rights in respect of the flats mentioned in the order. One of the flats is flat No.003. It however, appears that the Review Petitioner has filed a suit being Suit No.2969 of 2006 and a Notice of Motion being Notice of Motion No.3578 of 2006 has been taken out for interim orders.

2. In that view of the matter, the Review Petition is allowed to the extent that the order

applies to the said flat No.003. In other words, the said flat No.003 shall not be sold pursuant to the order dated 20.7.2007. Liberty however to the parties to apply for such relief after the Review Petitioner's aforesaid Notice of Motion is decided.

3. The Review Petition is accordingly disposed of.